

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

ABRAHAM BARKHORDAR, SARAH ZELASKY,  
and ELLA WECHSLER-MATTHAEI, individually  
and on behalf of all others similarly situated,

Plaintiffs,

v.

PRESIDENT AND FELLOWS OF HARVARD  
COLLEGE,

Defendant.

No. 1:20-cv-10968-AK

Hon. Angel Kelley

**JOINT STATUS REPORT, STIPULATION, AND [PROPOSED] ORDER REGARDING  
SCHEDULING ORDER**

Plaintiffs Abraham Barkhordar, Sarah Zelasky, and Ella Wechsler-Matthaei (collectively, “Plaintiffs”), together with Defendant President and Fellows of Harvard College (“Defendant”), by and through their undersigned counsel, hereby stipulate and make a joint application to extend by ninety (90) days the below-identified deadlines set out in the Court’s June 3, 2022 Scheduling Order (ECF No. 126). The Parties assert that good cause exists for this requested extension, as the Parties are continuing to meet and confer in an effort to resolve and/or streamline certain discovery disputes. While the Parties have engaged in good faith effort to adhere to the current schedule, they require the requested extension in part because of unavoidable delays resulting from a number of factors, including the departure from O’Melveny & Myers of the attorney spearheading discovery for Defendant, as well as challenges gathering information over the summer while school has been largely out-of-session and employees have been out-of-the-office.

To date, the Parties have engaged in the following discovery:

- Plaintiffs served Defendant with their First Requests for Production, which

included 26 requests. Defendant responded to the Requests for Production, made one production in response, and is searching for additional responsive documents, which it expects to produce shortly. Defendant is also gathering Electronically Stored Information (ESI) and will meet and confer with Plaintiffs on custodians and search terms for review.

- Defendant served Plaintiffs with its First Requests for Production and its First Set of Interrogatories, which included 35 requests and 12 requests, respectively. The Parties are meeting and conferring on Plaintiffs' responses.
- Following further document production, the Parties will schedule depositions.

The parties request that the previously-ordered deadlines be amended as follows:

<b>Event</b>	<b>Current Deadline</b>	<b>Proposed Deadline</b>
Plaintiffs' Motion for Class Certification	October 3, 2022	January 2, 2023
Defendant's Response to Plaintiffs' Motion for Class Certification	October 24, 2022	January 23, 2023
Deadline to Serve Requests for Production, Interrogatories, and Requests for Admission	November 4, 2022	February 2, 2023
Plaintiffs' Reply in Support of Plaintiffs' Motion for Class Certification	November 7, 2022	February 6, 2023
Close of Fact Discovery	January 9, 2023	April 10, 2023
Expert Disclosures on Issues on Which a Party Bears the Burden of Proof	January 18, 2023	April 18, 2023

Event	Current Deadline	Proposed Deadline
Rule 26 Expert Disclosures on Issues on Which a Party Does Not Bear the Burden of Proof and/or Date by Which Rebuttal Reports Must Be Served	February 22, 2023	May 23, 2023
Close of Expert Discovery	March 31, 2023	June 29, 2023
Status Conference	April 6, 2023 (in-person)	July 5, 2023
Motions for Summary Judgment	May 1, 2023	July 31, 2023
Responses to Motions for Summary Judgment	May 22, 2023	August 21, 2023
Replies in Support of Motions for Summary Judgment	June 5, 2022	September 6, 2023
Trial	September 11, 2023	December 12, 2023

Dated: September 1, 2022

Respectfully submitted,

By: /s/ Anton Metlitsky

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*Attorneys for Plaintiffs, individually and on  
behalf of all others similarly situated*

**[PROPOSED] ORDER**

The Court, having reviewed the Parties' Joint Stipulation and Application to extend the Scheduling Order deadlines (the "Stipulation"), and **GOOD CAUSE APPEARING**

**THEREFORE, HEREBY ORDERS AS FOLLOWS:**

The Court adopts the proposed deadlines included in the Parties' Stipulation.

**IT IS SO ORDERED.**

Dates: \_\_\_\_\_

\_\_\_\_\_  
HON. ANGEL KELLEY  
U.S. District Court  
District of Massachusetts

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on September 1, 2022.

/s/ Anton Metlitsky  
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